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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: )

WILLIAM C. MALONEY )

Serial No: 10/079,920 )

Filed: 2/20/2002 )

For: ASSET MANAGEMENT SYSTEM

2005 OCT 13 PM 4:07

US PATENT & TRADEMARK  
OFFICE

Dep & Ref  
Retain 807

REQUEST FOR REFUND

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant of the above-identified patent application hereby requests a refund in the amount of \$790.00 to be paid back to Deposit Account No. 09-0528. This fee was charged in error.

We never filed an RCE for this patent application and the fee should not have been charged. The last action on this application was a response filed by our firm on October 18, 2004.

Please refund the erroneously charged fee \$790.00 to Deposit Account No. 09-0528.

Respectfully submitted,

Date:

10/4/2005

Womble Carlyle Sandridge & Rice, PLLC  
P.O. Box 7037  
Atlanta, GA 30357-0037  
(404) 872-7000 (telephone)  
(404) 888-7490 (Facsimile)

Louis T. Isaf

Reg#29,078

Attorney for Applicant

Docket No.: K047 1180.1



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being mailed in an envelope by First Class mail to:

Commissioner for Patents  
P.O. Box 1450  
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on 10/4/05

Suzanne Skinner  
(Typed or printed name of person mailing correspondence)

Suzanne Skinner  
(Signature of person mailing correspondence)

Serial Number: 10/079,920

Filing Date: February 20, 2002

Title: ASSET MANAGEMENT SYSTEM

Our Reference Number: K047 1180.1

Request for Refund  
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FEB 15 2005

PATENTS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

	STEVE. D. SINGLETON	)		
Serial No:	10/079,920	)	Art Unit:	2632
Filed:	February 20, 2002	)	Examiner:	Pham, Toan Ngoc
For:	ASSET MANAGEMENT SYSTEM	)		

## CERTIFICATE OF FAX TRANSMITTAL

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The below documents are being fax transmitted to 703-872-9306:

Fee Transmittal for FY 2005

Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR  
1.137(b)

Petition Fee - \$1500.00 - To be charged to Deposit Account No. 09-0528

Statements Establishing Unintentional Delay

RCE Transmittal

RCE Filing Fee - \$790.00 - To be charged to Deposit Account No. 09-0528

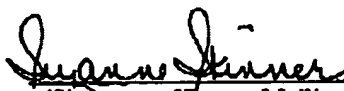
Extension Fee - \$910.00 - To be charged to Deposit Account No. 09-0528

Womble Carlyle Sandridge & Rice, PLLC  
P.O. Box 7037  
Atlanta, GA 30357-0037  
(404) 872-7000 (Telephone)  
(404) 888-7490 (Facsimile)

Docket Number: K047 1180.1

2/15/05  
Date

Suzanne Skinner  
(Printed Name of Person Mailing  
Correspondence)

  
(Signature of Person Mailing  
Correspondence)

ATLANTA 436488v1

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FEB 15 2005

PTO/SB/50 (09-04)

Approved for use through 07/31/2008. OMB 0551-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**Request  
for  
Continued Examination (RCE)  
Transmittal**

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Alexandria, VA 22313-1450

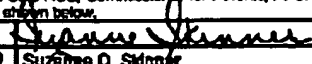
Application Number	10/079,920
Filing Date	February 20, 2002
First Named Inventor	Steve D. Singleton
Art Unit	2832
Examiner Name	Pham, Tuan Ngoc
Attorney Docket Number	K047 1180.1

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☒ Consider the arguments in the Appeal Brief or Reply Brief previously filed on October 18, 2004
- ii. ☐ Other \_\_\_\_\_
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 CFR 1.17(f) required)
- b. ☒ Other Petition to Revive Attached
3. **Fees**
- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 09-0528. I have enclosed a duplicate copy of this sheet.
- a. ☒ RCE fee required under 37 CFR 1.17(e)
- b. ☒ Extension of time fee (37 CFR 1.136 and 1.17) - \$125 \$110 previously paid
- c. ☒ Other Petition to Revive Fee of \$1500.00
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature		Date	<u>2/14/05</u>
Name (Print/Type)	<u>Steven D. Singleton</u>	Registration No.	<u>32472</u>

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
Signature	
Name (Print/Type)	<u>Suzanne D. Skinner</u>
Date	<u>2/15/05</u>

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**FACSIMILE**

From: Steven D. Kerr  
Direct Dial: (404) 962-7524  
Direct Fax: (404) 870-8174  
E-Mail: sdkerr@wcsr.com  
Attorney Number: 1406

TO:	Mail Stop Petitions	COMPANY:	Commissioner for Patents
FAX:	703-872-9306	PAGES:	7
PHONE:		DATE:	February 15, 2005
RE:	Application Serial No. 10/079,920	ATTORNEY DOCKET/REF.	K047 1180.1
		NO.	
		ACCOUNTING NO.	38236.0030.4

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ATLANTA 330357v1

PTO/SB/17 (12-04/2)

Approved for use through 07/31/2006, OMB 0431-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act 2005 (H.R. 4816) <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete If Known</b> Application Number <b>10/079,920</b> Filing Date <b>2/20/02</b> First Named Inventor <b>Steve D. Singleton</b> Examiner Name <b>Pham, Toan Ngoc</b> Art Unit <b>2632</b> Attorney Docket No. <b>K047 1180.1</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT <b>(3) 3,200.00</b>			

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: **09-0528** Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims: \_\_\_\_\_ Extra Claims: \_\_\_\_\_ Fee (\$): \_\_\_\_\_ Fee Paid (\$): \_\_\_\_\_  
 HP = highest number of total claims paid for, if greater than 20.

Indep. Claims: \_\_\_\_\_ Extra Claims: \_\_\_\_\_ Fee (\$): \_\_\_\_\_ Fee Paid (\$): \_\_\_\_\_  
 HP = highest number of independent claims paid for if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____	_____

\_\_\_\_\_ - 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): \_\_\_\_\_

**Fees Paid (\$)** **3,200**

<b>SUBMITTED BY</b> Signature: <u>Steven D. Kerr</u> 2/15/05 Name (Print/Type): <b>Steven D. Kerr</b>		Registration No. <b>32,472</b> (Attorney/Agent)	Telephone <b>404-962-7524</b> Date _____
---	--	--	---

This collection of information is required by 37 CFR 1.154. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEB 15 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Steve D. Singleton

Art Unit: 2632

Application No.: 10/079,920

Examiner: Pham, Toan Ngoc

Filed: February 20, 2002

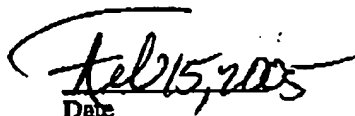
Title: ASSET MANAGEMENT SYSTEM

**STATEMENTS ESTABLISHING UNINTENTIONAL DELAY**

Applicant hereby requests revival of the above-referenced application, which was unintentionally abandoned. The application was abandoned because an amendment responding to a final office action was not entered and notice of non-entry was not received until after the six month deadline for response. Although it is believed that the non-entry of amendment was not proper (no claim amendments were made), a petition to revive nevertheless is filed concurrently herewith. The abandonment of the application was unintentional.

The Commissioner is authorized to charge any fees required for this request to deposit account no. 09-0528.

Respectfully submitted

  
Date

  
Steven D. Kerr  
Registration No. 32,472

Customer No. 26158  
WOMBLE CARLYLE SANDRIDGE & RICE  
P. O. Box 7037  
Atlanta, Georgia 30357-0037  
(404) 962-7524 (Telephone)  
(404) 870-8174 (Facsimile)

ATLANTA 436483v1

PTO/SB/R4 (08-04)

Approved for use through 07/31/2006. OMB 0891-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>	Docket Number (Optional)
<p>First named inventor: Steve D. Singleton</p> <p>Application No.: 10/079,920 <span style="float: right;">Art Unit: 2832</span></p> <p>Filed: February 20, 2002 <span style="float: right;">Examiner: Pham, Toan Ngoc</span></p> <p>Title: ASSET MANAGEMENT SYSTEM</p> <p>Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX (703) 872-9306</p> <p style="text-align: center;">NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.</p> <p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.</p> <p style="text-align: center;"><b>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION</b></p> <p>NOTE: A grantable petition requires the following items:</p> <ol style="list-style-type: none"> <li>(1) Petition fee;</li> <li>(2) Reply and/or issue fee;</li> <li>(3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and</li> <li>(4) Statement that the entire delay was unintentional.</li> </ol> <p>1. Petition fee</p> <p><input type="checkbox"/> Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input checked="" type="checkbox"/> Other than small entity - fee \$ <u>1500.00</u> (37 CFR 1.17(m))</p> <p>2. Reply and/or fee</p> <p>A. The reply and/or fee to the above-noted Office action in the form of <u>Amendment</u> (Identify type of reply):</p> <p><input checked="" type="checkbox"/> has been filed previously on <u>October 18, 2004</u> <input type="checkbox"/> is enclosed herewith.</p> <p>B. The issue fee and publication fee (if applicable) of \$ _____</p> <p><input type="checkbox"/> has been paid previously on _____ <input type="checkbox"/> is enclosed herewith.</p>	

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PAGE 4/7 \* RCVD AT 2/15/2005 10:06:48 AM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:3729306 \* CSID: \* DURATION (mm:ss):02:34

12/01/2005 SDIRETA1 00000001 090528 10079920

01 FC:1453 1500.00 DA

PTO/SB/84 (09-04)

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## 3. Terminal disclaimer with disclaimer fee

☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/83).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

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[Signature]  
Signature

February 14, 2005  
Date

Steven D. Kerr  
Typed or printed name

32,472  
Registration Number, if applicable

P.O. Box 7037  
Address

404-982-7524  
Telephone Number

Atlanta, GA 30357-0037  
Address

Enclosures: ☒ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☒ Other: RCE Transmittal

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☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

2/15/05  
Date

[Signature]  
Signature

Suzanne D. Skinner  
Typed or printed name of person signing certificate

[Page 2 of 2]



PATENTS

Dep &amp; Ref

R. 2005 10 27

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

application of: )

WILLIAM C. MALONEY )

Serial No: 10/079,920 )

Filed: 2/20/2002 )

For: ASSET MANAGEMENT SYSTEM

2005 OCT 13 PM 4:07

US PATENT & TRADEMARK  
OFFICEREQUEST FOR REFUND

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

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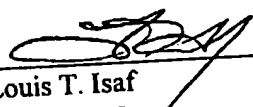
We never filed an RCE for this patent application and the fee should not have been charged. The last action on this application was a response filed by our firm on October 18, 2004.

Please refund the erroneously charged fee \$790.00 to Deposit Account No. 09-0528.

Respectfully submitted,

Date: 10/4/2005

Womble Carlyle Sandridge & Rice, PLLC  
P.O. Box 7037  
Atlanta, GA 30357-0037  
(404) 872-7000 (telephone)  
(404) 888-7490 (Facsimile)

  
Louis T. Isaf  
Reg#29,078  
Attorney for Applicant

Docket No.: K047 1180.1

United States Patent and Trademark Office  
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01 FC:1801 790.00 DA

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